

TO THE NOBILITY OF ENGLAND.

My LORDS,
Example has ever been reckon'd amongst the Chiefest motives of Persuasion: and of all Examples, those certainly are most prevalent to particular Persons, which can be drawn from their own Families. 'Tis a debt which you owe to your Ancestors, to inherit their Virtues, and brave Actions, as well as their Lands, and Titles, and therefore it concerns you to know them: and perhaps, a more Signal Instance can hardly be found in all History, of their Loyalty to their King and Country, than this Ancient Record which is here presented to your LORDSHIPS: which shows you with what courageous unanimity, your Fore-fathers did disown, and resist the Authority of Rome usurped over this Crown. You have this resolute answer ratified by the Seals of the whole Lay Nobility, and the Contents will tell you that what they said with their Hands, they would likewise Seal with their Blood; totis viribus defendere. Now this was done at a time, when the Pope's power was almost at the height in this Kingdom; not long after the pretended resignation of the Crown by King John: and in a cause, when only one branch of the Royal Prerogative was violated, by the Popes interposition in the Settlement of the Title of Scotland; and of the infringement of this one Right, was so highly resented by these Nobles, what would their undaunted Resolutions have been, if the whole Supream Prerogative had been at stake? Your LORDSHIPS are referred to the Letter itself to guess.

Exemplar Literarum quibus Comes & Barones Angliæ miserunt Papæ super negotio Scotorum, Anno Regni Regis, EDWARDI Primi, 29.

Sanctissimo in Christo Patri Domino Bonifacio divina Providentia Sanctæ Romanæ & universali Ecclesiæ summo Pontifici sui devoti Filii Johannes Comes Warren: Thomas Comes Lancastrie: Radulphus de Montchermeri Comes Gloucestræ & Herefordiæ: Henricus de Poitou Comes Hereford & Elix, Constatularius Angliæ: Rogerus Bifot Comes Norfolci & Maritimus Angliæ: Guido Comes Warwici: Richardus Comes Arundel: Adamus de Valencia Dominus de Montemaco: Henricus de Lancastria Dominus de Monmouth: Johannes de Hastings Dominus de Bergavenny: Henricus de Percy Dominus de Topcliff: Edmundus de Mortuomari Dominus de Wigmore: Robertus filius Walteri Dominus de Woodham: Willielmus Dominus de Molyns: Johannes de Sancto Johanne Dominus de Hanacre: Hugo de Ver Dominus de Swanefcampes: Willielmus de Brewofe, Dominus de Gower: Robertus de Monte alto Dominus de Hawardyn: Robertus de Tarehale Dominus de Euckenham: Reginaldus de Grey Dominus de Ruthia: Henricus de Grey Dominus de Colenore: Hugo de Eardolf Dominus de Wirmegge: Robertus de Toney Dominus de Ruthia: Willielmus de Roos Dominus de Humelake: Robertus de Clifford Castellanus de Apilly: Petrus de Malolacu Dominus de Multid: Willielmus de Kyme: Robertus filius Regeni Dominus de Clavering: Johannes de Mohun Dominus de Du ster: Almaricus de Sancto Amando Dominus de Wydehay: Willielmus de Ferraris Dominus de Glosby: Alanus de Zuche Dominus de Ashby: Theobaldus de Verdoun Dominus de W. beche: Thomas de Furnyvall Dominus de Shefeld: Thomas de Multon Dominus de Egremon: Willielmus de Larimer Dominus de Corbi: Thomas Dominus de Berkele: Falco filius Warini Dominus de Winton: Johannes Dominus de Segrave: Edmundus de Eyncourt Dominus de Thurgerton: Petrus de Colber Dominus de Caus: Willielmus de Cante lupo Dominus de Ravelthorp: Johannes de Bellocampo Dominus de Hacche: Rogerus de Mortuomari Dominus de Penetle: Johannes filius Reginaldi Dominus Blentevi: Ranulphus de Nevil Dominus de Raby: Brianus filius Alani Dominus de Pedale: Willielmus de Marcellus Dominus de Hengham: Walterus Dominus de Huntecombe: Willielmus de Martin Dominus de Cammes: Henricus de Tyens Dominus de Chilton: Rogerus de la Warre Dominus de Isfeld: Johannes de Ripatis Dominus de Angre: Johannes de Lyncard Dominus de Grildale: Robertus filius Pagani Dominus de Lammere: Henricus de Tregot Dominus de Carriges: Radulphus de Lypard Dominus de Limford: Walterus Dominus de Fauconberg: Rogerus de le Efrange Dominus de Ellicemere: Johannes de Efrange Dominus de Kynkyn: Thomas de Chauris Dominus de Norton: Walterus de Bello campo Dominus de Alcestre: Richardus de Talehor Dominus de Ekelewell: Johannes de Putrecourt Dominus de Mendeham: Johannes de Engayn Dominus de Colum: Hugo de Poynt Dominus de Cori: Maier: Adam Dominus de Well: Simon Dominus de Monte Acuto: Johannes Dominus de Sulce: Johannes de Maies Dominus de Canterbur: Edmundus Faro: Stafford: Johannes de Lovel Dominus de Saclyng: Edmundus de Halting Dominus de En-hunehelmok: Radulphus de Abadam Dominus de Beverfion: Johannes de Haveringes Dominus de Gratton: Robertus de Truchet Dominus de Levenhales: Johannes de Abadam Dominus de Beverfion: Johannes de Haveringes Dominus de Gratton: Robertus de Ward Dominus de A-ba-aula: Nicholus de Segrave Dominus de Stowe: Walterus de Teye Dominus de Strangere: Johannes de Infula Dominus de Wodeton: Euthacius Dominus de Hacche: Gilbertus de Pecche Dominus de Corby: Willielmus de Paynell Dominus de Tracton: Bogo de Knowill Dominus de Albo Monasterio: Fulco de Efrange Dominus de Cortham: Henricus de Pakeney Dominus de Wedon: Hudeffon Dominus de Daney: Rogerus de Huntingfeld Dominus de Bradenham: Hugo filius Henrici Dominus de Ravenewalh: Johannes de Breton Dominus de Spore: Nicholus de Carrau Dominus de Mulesford: Thomas Dominus de la Roche: Walterus de Muncy Dominus de Thornton: Johannes filius Marmaduci Dominus de Hordene: Johannes Dominus de Kington: Robertus de Hasting Dominus de la Detree: Radulphus Dominus de Grandon: Willielmus Dominus de Leyborn: Johannes de Graffock Dominus de Morpeth: Matheus filius Johannis Dominus de Stockenham: Nicholus de Meynill Dominus de Wetherleton: & Johannes de Paynell Dominus de Otteleye: Devota pedum oscula beatorum.

Sancta Romana Mater Ecclesia per cuius munus fides Catholica gubernatur in suis Actibus, cum ea, sicut firmiter credimus & tenemus, mature procedat, quod nulli preiudicare sed singulorum iura non minus in aliis, quam in ipsa tantum mater alma conservari debet illa. Sane convocato nuper per serenissimum Dominum nostrum Edwardum Dei gratia Regem Angliæ Illustrissimum Parlamento apud Lincoln generali, Idem Dominus noster quosdam literas Apostolicas, quas super certis negotiis, conditionem & statu Regni Scotiæ tangentes, ex parte vestra receperat, in medio exhiberi, & seriosè nobis fecit exponi. Quibus auditis, & diligentius intellectis, tam nostris sensibus admiranda, quam hactenus inaudita in eisdem auditis contineri. Scimus enim, Pater sanctissime, & notorium est in partibus Angliæ, & nonnullis aliis non ignotum, quod a prima institutione Regni Angliæ, Reges ejusdem regni, tam temporibus Britonum quam Anglorum, superius & divinum dominium regni Scotiæ habuerunt, & in possessione, vel quasi, Superioritatis & directi Domini ipsius regni Scotiæ successivis temporibus extiterunt, nec ulli temporibus, ipsum regnum in temporalibus pertinuit, vel pertinet quousque iure ad Ecclesiam suam predictam, quinimo idem Regnum Scotiæ progenitoribus predicti Domini nostri Regibus Angliæ pertinuit, atque sibi feudale extitit ab antiquo. Nec etiam Reges Scotorum & regnum aliis quam Regibus Angliæ subservierunt vel subijci consueverunt. Neque Reges Angliæ super iuribus suis in regno predicto, aut ALIIS SUI TEMPORALIBUS, coram aliquo Iudice Ecclesiastico, vel Seculari, ex libera preeminencia status sui regie dignitatis, & consuetudinis cunctis temporibus irrefragabiliter observate responderunt, aut respondere debebant. Unde habito tractatu, & deliberatione diligenti super contentis in vestris literis memoratis, communis consors & unanimis omnium nostrorum & singulorum consensus fuit, est, ac erit, inconvulsa, Deo propitio, in futurum, quod prefatus Dominus noster Rex super iuribus regni Scotiæ, aut ALIIS SUI TEMPORALIBUS, nullatenus iudicialiter respondeat coram vobis, nec iudicium subeat quomodo aut iura sua predicta in dubium questionis deducit, nec ad presentiam vestram Procuratores aut Nuncios ad hoc mittat. Preterea cum premissa cedenter manifeste in exheredationem juris Coronæ Regni Angliæ & regie dignitatis, ac subversionem status ejusdem regni notariam, nec non in preiudicium libertatum, consuetudinum, & legum patrum nostrorum, & parum observationem & defensionem, ex debito prefati iuramenti obstringimur, & que manu tenemus toto posse, totiusque cum Dei auxilio defendemus. Nec etiam permittemus, aut aliquatenus permittimus, sicut nec possumus, nec debemus, premissa tam insolite, indebita, preiudicialia, & alia inaudita, preiudicium Dominum nostrum Regem, statumque ejusdem regni, seu quomodolibet attemptare. Quocirca sanctissimi vestre reverentiae & humiliter supplicamus, quatenus eundem Dominum nostrum Regem, qui inter alios Principes orbis terre catholicum se exhibet, & Ecclesiæ Romanæ devotum, iura sua, libertates, consuetudines, & leges, predictas, absque diminutione & inquietudine pacifice possidere, & ea illibata perficere benignius permittatis.

In cuius rei Testimonium, Sigilla nostra tam pro nobis, quam pro tota communitate predicti Regni ad hoc presentibus sunt appensa. Datum apud Lyn. In 12 die Iulian. Anno Domini Millesimo Trecentesimo.

The Copy of a Letter sent by the Earls and Barons of England to the Pope, Concerning the Affair of Scotland, in the 29. year of the Reign of King EDWARD the First.

TO the most Holy Father in Christ Boniface, by divine Providence of the Holy Roman and Catholic Church Pope, his Dutyful Sons John Earl of Warren, Thomas Earl of Lancaster, Ralph de Montchermeri Earle of Gloucester, and Hereford, Humphrey de Bohun Earl of Hereford, and Essex, Constable of England, Roger Bigot Earl of Norfolk, and Marshal of England, Guy Earl of Warwick, Richard Earl of Arundel, Adomar de Valencia Lord of Montemaco, Henry of Lancaster, Lord of Monmouth, John de Hastings Lord of Bergavenny, Henry Percy Lord of Topcliff, Edmund de Mortuomari Lord of Wigmore, Robert Lord of Woodham, William Lord of Molyns, John de St. John Lord of Hanacre, Hugh de Ver Lord of Swanefcampes, William de Erwofe Lord of Gower, Robert de Monte alto Lord of Hawardyn, Robert de Tarehale Lord of Euckenham, Reginald de Grey Lord of Ruthia, John de Grey Lord of Colenore, Robert de Toney Lord of Ruthia, Willielmus de Roos Lord of Humelake, Robert de Clifford Lord of Apilly, Petrus de Malolacu Lord of Multid, Willielmus de Kyme, Robertus filius Regeni Lord of Clavering, Johannes de Mohun Lord of Du ster, Almaricus de Sancto Amando Lord of Wydehay, Willielmus de Ferraris Lord of Glosby, Alanus de Zuche Lord of Ashby, Theobaldus de Verdoun Lord of W. beche, Thomas de Furnyvall Lord of Shefeld, Thomas de Multon Lord of Egremon, Willielmus de Larimer Lord of Corbi, Thomas Dominus de Berkele, Falco filius Warini Lord of Winton, Johannes Dominus de Segrave, Edmund de Eyncourt Lord of Thurgerton, Petrus de Colber Lord of Caus, Willielmus de Cante lupo Lord of Ravelthorp, Johannes de Bellocampo Lord of Hacche, Rogerus de Mortuomari Lord of Penetle, Johannes filius Reginaldi Lord of Blentevi, Ranulphus de Nevil Lord of Raby, Brianus filius Alani Lord of Pedale, Willielmus de Marcellus Lord of Hengham, Walterus Lord of Huntecombe, Willielmus de Martin Lord of Cammes, Henricus de Tyens Lord of Chilton, Rogerus de la Warre Lord of Isfeld, Johannes de Ripatis Lord of Angre, Johannes de Lyncard Lord of Grildale, Robertus filius Pagani Lord of Lammere, Henricus de Tregot Lord of Carriges, Radulphus de Lypard Lord of Limford, Walterus Lord of Fauconberg, Rogerus de le Efrange Lord of Ellicemere, Johannes de Efrange Lord of Kynkyn, Thomas de Chauris Lord of Norton, Walterus de Bello campo Lord of Alcestre, Richardus de Talehor Lord of Ekelewell, Johannes de Putrecourt Lord of Mendeham, Johannes de Engayn Lord of Colum, Hugo de Poynt Lord of Cori, Maier: Adam Lord of Well, Simon Lord of Monte Acuto, Johannes Lord of Sulce, Johannes de Maies Lord of Canterbur, Edmundus Faro: Stafford: Johannes de Lovel Lord of Saclyng, Edmundus de Halting Lord of En-hunehelmok, Radulphus de Abadam Lord of Beverfion, Johannes de Haveringes Lord of Gratton, Robertus de Ward Lord of A-ba-aula, Nicholus de Segrave Lord of Stowe, Walterus de Teye Lord of Strangere, Johannes de Infula Lord of Wodeton, Euthacius Lord of Hacche, Gilbertus de Pecche Lord of Corby, Willielmus de Paynell Lord of Tracton, Bogo de Knowill Lord of Albo Monasterio, Fulco de Efrange Lord of Cortham, Henricus de Pakeney Lord of Wedon, Hudeffon Lord of Daney, Rogerus de Huntingfeld Lord of Bradenham, Hugo filius Henrici Lord of Ravenewalh, Johannes de Breton Lord of Spore, Nicholus de Carrau Lord of Mulesford, Thomas Lord of la Roche, Walterus de Muncy Lord of Thornton, Johannes filius Marmaduci Lord of Hordene, Johannes Lord of Kington, Robertus de Hasting Lord of la Detree, Radulphus Lord of Grandon, Willielmus Lord of Leyborn, Johannes de Graffock Lord of Morpeth, Matheus filius Johannis Lord of Stockenham, Nicholus de Meynill Lord of Wetherleton, & Johannes de Paynell Lord of Otteleye Devoutly kiss your Holyness's Feet.

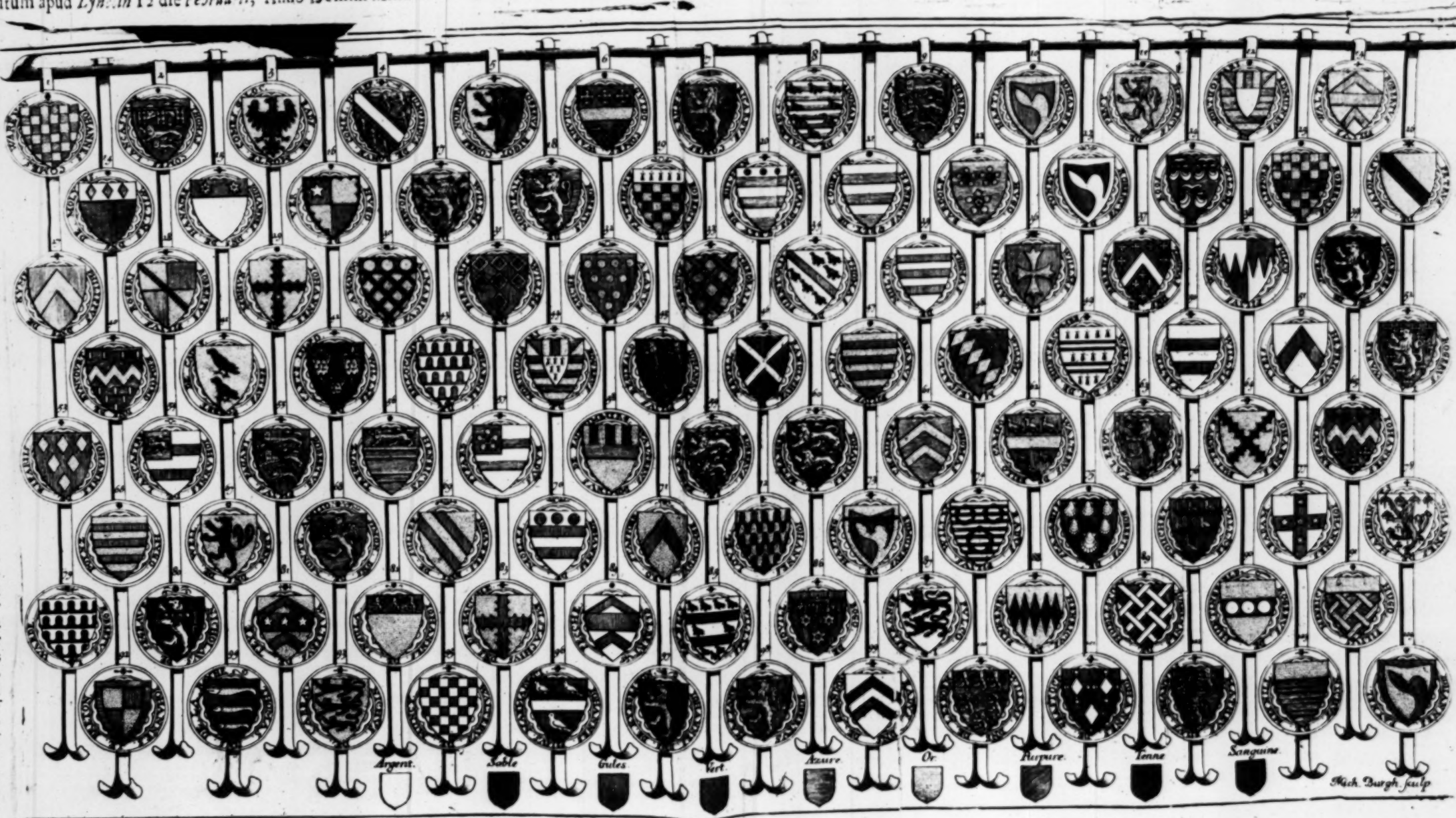
The Holy Mother Church of Rome; by whose Ministry the Catholic Faith is directed, doth proceed as we firmly believe, and hold, with that Maturity of Council in her determinations, that she would not prejudice any, but like a Tender Mother is willing to preserve the Rights of every particular person inviolable, as well in other places, as within her own precincts. Wherefore a full Parliament being call'd, by our Sovereign Lord Edward by the Grace of God the Renowned King of England, at his City of Lincoln, He our said Sovereign did cause to be Publicly produc'd, and faithfully interpreted to us, certain Apostolicall Letters received from You concerning some affairs relating to the Condition, and State of the Kingdom of Scotland. Which having heard, and well understood, we found that they contained such things, as seem'd very strange to us, and such as were never heard of before. For we know most Holy Father, and 'tis well known throughout this Realm of England, and not unknown to other places, that from the very beginning of the Realm of England, the Sovereign and Direct Dominion of the Kingdom of Scotland, has been enjoyed by the Kings of England, both in the times of the Britons, and also of the English. And that they have been in the possession, (as our Goodly of the Supremacy, and direct Dominion of the said Kingdom of Scotland, in all succeeding Ages; Neither hath the said Kingdom at any time in Temporals belonged, or doth belong by any manner of Right unto your Church of Rome afore said, but in truth the said Kingdom of Scotland, hath belonged unto the Ancestors of our aforesaid Sovereign Lord, Kings of England, and of old time hath been Feudatory to them alone. Neither have the Kings, and Kingdom of Scotland been subject, or usually under any one else but the Kings of England; Neither have the Kings of England given in any Answer, or ought to give in any Answer, in reference to their Rights in that Kingdom, OR ANY OTHER THEIR TEMPORALITIES, before any Judge Ecclesiastical or Secular, by reason of the Boundless Preeminence of their State and Royal Dignity, and Customs irrefragably observed throughout all Ages. Wherefore, after a tedious Debate, and Consideration of the Contents of your aforesaid Letters. The Common, Joynt, and Unanimous consent of all, and every of us was, is, and by the help of God shall be Resolutely for ever, That our aforesaid Sovereign Lord the King, Ought in no wise to give in any Answer in Judgment before you, touching his Rights in the Kingdom of Scotland, OR ANY OTHER HIS TEMPORALITIES, nor by any means to submit to your Jurisdiction, or so much as to yield that his said Rights be brought into Question, or to send any Proctor, or Messenger to appear before you in this Business. Especially since the doing of the Premises would manifestly tend to the diminishing of the Rights of the Crown of the Kingdom of England, and of the Royal Prerogative, and to the notorious subversion of the State of this Realm, and likewise to the Prejudice of the Liberties, Customs and Laws of our Precursors, All which we are bound by Oath duly to Observe, and Defend, and which we will maintain with the utmost of our Power, and by the help of God with all our Might and Main Defend. Moreover, we do not Permit, or in the least will Permit, (for 'tis not in our power, neither ought we) that our said Lord the King should do, or in the least attempt to do any of the premises, so strange, so unlawful, Prejudicial, and otherwise unheard of, though He would himself. Wherefore we with Reverence humbly beseech your Holyness, that you would graciously permit the said Sovereign Lord our King, who is as good a Catholic, and as much devoted to the Church of Rome, as any Prince of Christendom, Peaceably to Enjoy, his Rights, Liberties, Customs, and Laws aforesaid, without any Trouble, or Diminution, and so to remain untouched for the future.

In Witness whereof we have set our Seals to these presents, as well for our selves, as for the whole Commonalty of the Kingdom of England aforesaid. Dated at Lincoln the 12 day of February in the year of our Lord One Thousand Three Hundred.

A brief account of the Pretences of a Right to the Crown of England, and the Answer therunto.

THE Pope of Rome hath for some Ages, but pretended to a Sovereign Right over Christian Kings and Princes, cannot be unknown to any, who are acquainted with the writings of their most approved Authors, the Decrees of their Councils, or the Instances of such usurped authority recorded in History for these Five Hundred years. The judgment of their Licensed Authors, their Councils, and their Laws in this Cause, is excellently published by the Learned Pen of the Right Reverend Bishop of Lincoln; and that the same Doctrine hath been by them generally received, I can bring no greater proofs, than their common practice recorded in History. How many Emperours, Kings, and Sovereign Princes have been de facto depose'd by them, how many great Mallices and private Murders have been encouraged and Defended, how many Tortures, and unheard of Cruelties, how many Treasons, and Damnable Conspiracies to the subversion of whole Kingdoms, have been contrived, and some executed by Jesuits, and other Emisaries of Rome, would require a large Volume to relate; I shall refer the Reader to a few Authors, for his abundant satisfaction here in. Thomas, Bodinus, and the Exact Collections of Mr. Fovell. Nor was there any place left the weight of the Popes Iron Rod more grievous than the Kingdom of England; hence was he wont to exact vast summes of money, which were as readily paid; and of what effect it was with him, I shall leave to the Character he gives, when he calls it *Patris inextinguibilis*. And for the yoke and burden which neither we nor our Fathers were able to bear, what Damning Censures and Violent Excommunications have been sent out against us, what Secret and Horrible Plots have been contrived to destroy our Kings and Kingdoms, I hope will never be forgot: and all this not to much redress his here the Religion, as the Authority which the Pope hath lost: and the right of that Title which he claims to this Kingdom, he thinks equal to that pretended from Constantine's Donation. And to this purpose his Sub-Collector *Poldore Virgilius* tells us, that *Ina* was the first King who made this Kingdom of England Tributary to the Pope: but he forgets himself pag. 240. where he saith Peter, pence was given *Pietate* & *Religio* causa, for Gods sake, and therefore not by way of Homage and Subjection. This Gift was continued by *Offa, Alstun, Canutus, and Edward the Confessor*, who calls it the *Kings Almes*. *William the Conqueror* alloweth this gift, but renounceth all Obedience to the Pope, as appears by *Lanfranks Epist.* Pope *Pascal 2.* in a Letter to *Hen. 1.* calls this Donation *Beati Petri Elemosyna*, and Bishop *Andrew* tells us, that it was an *Alms* given to a Hospital at Rome, where they used to entertain Pilgrims out of England.

The second pretended Title is from King John's Renunciation of the Crown to *Pandolphus* the Popes Legate, and receiving it again under Fealty, and Homage, and at the yearly Tribute of a Thousand Marks. Which Title upon several accounts will appear invalid. First as to matter of Fact: *Sir Thomas Moore*, who could not want all advantages of informing himself in affairs of this nature, denies it, his words are these: Some Writers say, that King John made England and Ireland Tributary to the Pope, by the grant of a thousand Marks; we dare truly say again, that this is untrue, and that all Rome neither can draw such a grant, nor ever could, and if they could, it were right enough worth: for never could any King of England give away the Realm to the Pope, or make the Land Tributary if he would, nor no such money is there paid, nor never was. There are the words of that great States-man, who was no enemy to the Popes Authority. But granting there was something done to this purpose,



Church-man, as was urged, and not subject to lay Censures, who had been Banished by the joynt consent of the King, Lords, and Commons, for his intolerable Insolence, the Commons gave this resolute answer to the Popes demand, *Peter de Monford* being Prolocutor, *Si Dominus Rex & Regni Majores nos valent*, (meaning *Admar's* revocation from Banishment), *COMMUNITAS tamen ipsius interfectam in Angliam jam nullam salutem speramus*. Though the King, and Peers of the Realm should declare for his return, yet the Commons would by no means endure it. Lastly no man can confer a greater Right upon another, than what is in himself; and that King John was an Usurper, is evident from all Histories of that Age. For *Arthur of Britain*, his Elder Brother Son, was Thirteen years of age, when John invaded the Throne, but fearing that he might not be long quiet in his Possession, whilst the Right Heir was alive, he Murder'd his Nephew, and imprison'd his Neice *Eleanor*, who survived him; and this doth utterly make void his Right to dispose of what he had not right to keep. And of what small account was this pretended Title, not only the Retolutions of the Commons aforesaid mentioned, but also this Letter Subscribed by all the Peers of England will abundantly manifest.

The Reader may please to take notice, that the Exemplar whence this was taken is in *Corpus Christi* College Library in Oxon, and recorded by *Mat. Westmister*, and *Walsingham*, and mentioned by *Parsons* in his answer to the Lord Chief Justice *Cocks* Reports, but without any Reply, pag. 266. cap. 11. and whereas in that the Names round the Armes are in an ancient English letter, the Graver being unacquainted with the Character, for his own ease, and more convenient Reading, hath put them in the Modern.

Febr. 8. 1678.

Imprimatur,

JOHN NICHOLAS

Vice-Can. OXON.

OXFORD.

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